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Chairman: Mr. Tommo Monthe ..... (Cameroon)

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The meeting was called to order at 10.15 a.m.

Agenda item 61: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

Draft resolution A/C.3/65/L.56: Assistance to refugees, returnees and displaced persons in Africa

1. **The Chair** said that he had been advised that the draft resolution had no programme budget implications.

2. **Ms. Sulimani** (Sierra Leone), speaking on behalf of the Group of African States, said that Belgium, Canada, Costa Rica, the Czech Republic, France, Germany, Greece, Ireland, Italy, Mexico, Spain and Serbia had joined the sponsors. The increase in budgetary allocations to provide assistance to refugees, mentioned in the report of the Secretary-General (A/65/324) was an indication of the collective will to combat refugee crises in Africa. The Kampala Convention was hailed as a landmark achievement with the potential to change the lives of internally displaced persons and refugees for the better. Her delegation reiterated the call in the text for the Office of the United Nations High Commissioner for Refugees to continue providing support so that countries could address the challenges they faced.

3. She read out a number of oral revisions to the text. In the third preambular paragraph, the words "and in this regard acknowledging the importance of preventing and responding to sexual and gender based violence" should be inserted after the word "abuse". The fourth preambular paragraph should be deleted and replaced with the clause "Acknowledging the efforts of member States, the United Nations High Commissioner for Refugees and other stakeholders in improving the situation of refugees and expressing grave concerns over the deteriorating living conditions in many refugee camps in Africa,". In the sixth preambular paragraph, the words "and the ongoing ratification process" should be added after the word "adoption". In the seventh preambular paragraph, after the word "appreciation", the words "the International Conference on the Great Lakes Region 2006" should be added. Finally, in paragraph 8, the words from the phrase "at its sixty-first session of its" to the end of the paragraph should be deleted and replaced with the words: "of the conclusion on protracted refugee situations at the extraordinary meeting held on 8 December 2009 at its sixty-first session, as well as the conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR at its sixty-first session held from 4 to 8 October 2010".

4. **Mr. Gustafik** (Secretary of the Committee) announced that Australia, Azerbaijan, Belgium, Belize, Brazil, Bulgaria, Burkina Faso, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, the former Yugoslav Republic of Macedonia, France, Germany, Honduras, Iceland, India, Japan, Latvia, Luxembourg, Malta, Mexico, Montenegro, Norway, Poland, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America had joined the sponsors.

5. *Draft resolution A/C.3/65/L.56, as orally revised, was adopted.*

Agenda item 64: Promotion and protection of the rights of children (*continued*)

Draft resolution A/C.3/65/L.21/Rev.1: Rights of the child

6. **The Chair** said that he had been advised that the draft resolution had no programme budget implications.

7. **Ms. Ortigosa** (Uruguay) said that Jordan, Liechtenstein, Mongolia and the United States of America had joined the sponsors. The draft resolution addressed the fact that all children, even very young ones, were entitled to full enjoyment of all rights provided for by the Convention on the Rights of the Child. Special protective measures for early childhood, a developmental phase essential to the realization of the rights of the child, in light of the fact that it encompassed 80 per cent of brain development and the fastest growth period in childhood, were therefore included in the resolution. The text also drew attention to poverty eradication and reduction of infant mortality.

8. **Ms. De Geest** (Belgium), speaking on behalf of the European Union, the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the Stabilization and Association Process countries Albania, Bosnia and Herzegovina, and Montenegro; and in addition, the Republic of Moldova and Ukraine, said that the text of the draft resolution had been vastly

improved in the previous two weeks over the course of lengthy negotiations. While not all concerns had been accommodated — a nearly impossible feat to achieve — attempts had been made to take into account all views.

9. **Mr. Gustafik** (Secretary of the Committee) announced that Angola, Azerbaijan, Bangladesh, Benin, Botswana, Cape Verde, Comoros, Egypt, Eritrea, Ethiopia, the former Yugoslav Republic of Macedonia, Gabon, Gambia, Georgia, Ghana, Israel, Kenya, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malawi, Maldives, Morocco, Mozambique, Namibia, Philippines, Qatar, the Republic of Korea, the Russian Federation, Rwanda, San Marino, Senegal, South Africa, Swaziland, Timor-Leste, Tunisia, Ukraine and Zimbabwe had joined the sponsors.

10. *Draft resolution A/C.3/65/L.21/Rev.1, as orally revised, was adopted.*

11. **Mr. Sammis** (United States of America), speaking in explanation of position, said that his delegation had been pleased to sponsor the draft resolution. The United States of America continued domestic efforts to strengthen existing protections for children and pursue innovative ways to ensure that the rights of children were realized, often through cooperation with other countries. Investments in early childhood education — a key element in domestic policy — played an important role as well.

12. **Mr. Bené** (Observer for the Holy See), speaking in explanation of position, said that his delegation wished to point out that any resolution on child protection must be faithful to the Convention on the Rights of the Child, which was the international normative instrument in that area. Given that one of the fundamental principles of the Convention was respect for all children, born and unborn, it was dismaying that the draft resolution contained elements that attempted to introduce confusion in that regard. While the text called upon States to include many appropriate provisions for children in early childhood, including measures to improve pre- and postnatal care for mother and child, the introduction of the ambiguous term "sexual and reproductive health", to which the Holy See had consistently registered objections, was not found in the Convention and could be understood in a way which hindered the advancement of maternal and child health. It was also disconcerting that the resolution attempted to go beyond what was set forth in the Convention with regard to the responsibility of parents for the upbringing and development of their children.

13. He expressed concern that the Committee on the Rights of the Child had gone beyond its mandate. The Committee must adhere to the traditional rules of interpretation of law, in particular to the 1969 Vienna Convention on the Law of Treaties; it risked undermining the international treaty system in the realm of human rights, where it had actively promoted an interpretation of international standards in a way that undermined the fundamental rationale of law: to protect life. The Committee's recommendation of studies on specific issues relating to child rights constituted private opinions that could not create any legally binding commitment. Moreover, any recommendations made by the Committee to States parties must be faithful to the text of the Convention and respect children, the primary role of parents, and the family, which was the basic unit of society. A resolution on children that introduced elements that ran counter to the Convention could not but cause States to question the reason for ratification of such international instruments.

14. **Ms. Halabi** (Syrian Arab Republic), speaking in explanation of position, said that her Government had joined consensus on the draft resolution, as it attached great importance to the rights of children and was making intense efforts at the national level to protect children and promote their development. Noting that the international community had failed to perform its duties towards children living under occupation, especially in the early childhood phase mentioned in the draft resolution, she highlighted the importance of demanding that the occupying Power must provide protection to children under occupation, in line with international commitments. Her delegation understood paragraph 43, which called for the provision of special support and assistance to children in early childhood who were suffering from discrimination or living under especially difficult circumstances to apply to children living under Israeli occupation. Similarly, her delegation supported the affirmation that provisions on children affected by armed conflict fully applied to children living under foreign occupation. Lastly, her Government reserved the right to interpret certain paragraphs of the draft resolution on the basis of its domestic legislation.

15. **Ms. Sapag** (Chile), speaking in explanation of position, said that her delegation was pleased that negotiations had permitted original language concerning early childhood, a topic barely addressed in previous omnibus resolutions, to be incorporated. In accordance with the World Conference on Early Childhood Care and Education held recently in Moscow, which had culminated in the adoption of the Moscow Framework for Action and Cooperation, the draft resolution marked a turning point in the process of incorporating early childhood into the work of the Committee and the United Nations system as a whole.

16. **The Chair** proposed that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Committee on the Rights of the Child (A/65/41) and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/65/221).

17. *It was so decided.*

Agenda item 67: Right of peoples to self-determination (*continued*)

Draft resolution A/C.3/65/L.54/Rev.1: Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

18. **The Chair** said that he had been advised that the draft resolution had no programme budget implications.

19. **Ms. Astiasarán Arias** (Cuba) said that the draft resolution emphasized the importance of strengthening the international legal framework that regulated the use, financing and training of mercenaries, bearing in mind the report of the Special Rapporteur on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination. It was necessary to develop and negotiate tangible proposals to promote better protection of human rights, particularly the right of peoples to self-determination.

20. **Mr. Gustafik** (Secretary of the Committee) announced that India and Mali had joined the sponsors.

21. **Mr. Burniat** (Belgium), speaking in explanation of vote before the voting, on behalf of the European Union, the candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro; Ukraine, the Republic of Moldova and Georgia, said that while the European Union shared many of the concerns about the dangers of mercenary activities that had been expressed in the reports of the Working Group on the use of mercenaries, it believed that neither the Third Committee nor the Human Rights Council were the proper forums in which to address such activities, which should not be tackled from the perspective of human rights violations and the threat to the right of peoples to self-determination. Furthermore, members of private military and security companies operating in foreign countries could not usually be considered to be mercenaries. The issue of their regulation interrelated with several branches of international law and was therefore not primarily a human rights question. For those reasons, the European Union would vote against the draft resolution, while remaining engaged in dialogue with interested States on ways to prevent the threats posed by mercenary activity in an appropriate forum.

22. **Mr. Vigny** (Switzerland), speaking in explanation of vote before the voting, said that Switzerland's commitment to better regulation of the activities of private military and security companies was demonstrated by its participation in drafting the Montreux Document on Private Military and Security Companies, which set forth a code of conduct for those companies' involvement in armed conflict and recalled related obligations of States under international human rights and humanitarian law.

23. Switzerland was not opposed to a dialogue between States on the negotiation of an instrument to better regulate the activities of private military and security companies. However, such a dialogue must be based on a broad international consensus. As the establishment of the intergovernmental working group did not enjoy such a consensus, Switzerland would abstain in the voting on the draft resolution.

24. *At the request of the United States of America, a recorded vote was taken on draft resolution A/C.3/65/L.54/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon,

Cape Verde, Chile, China, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Colombia, Côte d'Ivoire, Fiji, Liberia, Mexico, Switzerland.

25. *Draft resolution A/C.3/65/L.54/Rev.1 was adopted by 123 votes to 52, with 6 abstentions.*

26. **Mr. Díaz Bartolomé** (Argentina) said that his delegation supported the right to self-determination of people under continued colonial occupation. In that regard, the draft resolution should be interpreted in accordance with the relevant resolutions of the General Assembly and the Special Committee on decolonization. However, the exercise of the right to self-determination presupposed a population subject to colonial domination. In the special and particular case of the Malvinas Islands, all the resolutions of the General Assembly and the Special Committee recognized the issue as a sovereignty dispute between two parties, which could only be resolved through bilateral negotiations that took into account the interests of the Islands' inhabitants. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were illegitimately occupied by the United Kingdom, which had expelled the Islands' population and authorities and replaced them with its own subjects. The situation was therefore not a question of self-determination, but rather one of another principle of decolonization: territorial integrity.

27. **Mr. Lomax** (United Kingdom), speaking in exercise of the right of reply, said that the Government of the United Kingdom had no doubt as to its sovereignty over the Falkland Islands. There could be no negotiations on the issue until such time as the islanders so wished. His Government's position on the Falkland Islands was founded on the principle of self-determination, as set out in the Charter and the International Covenant on Civil and Political Rights. The United Kingdom maintained a modern relationship with its overseas territories based on shared values and the right of each territory to determine if it wished to retain a link to the United Kingdom. The democratically elected representatives of the Falkland Islands had recently expressed their own views on the issue to the Special Committee. They had asked the Committee to recognize their right to self-determination, clarified the historical fact that no civilian population had been removed at the time the Islands had been settled and affirmed that they did not want any change in the status of the Islands.

28. **Mr. Díaz Bartolomé** (Argentina), speaking in exercise of the right of reply, reiterated the statement made by the Minister for Foreign Affairs of Argentina to the Special Committee in June 2010. The Malvinas Islands, South Georgia Islands and South Sandwich

Islands and the surrounding maritime areas were an integral part of Argentina's territory and were illegitimately occupied by the United Kingdom. The issue had been widely recognized by international organizations as a sovereignty dispute between two States. He reaffirmed Argentina's legitimate right to sovereignty over the Islands as part of Argentine territory.

Agenda item 106: International drug control (*continued*)

Draft resolution A/C.3/65/L.16/Rev.1: International cooperation against the world drug problem

29. **The Chair** said that the draft resolution had no programme budget implications.

30. **Mr. Sánchez Contreras** (Mexico) said that Belarus, Belize, Bolivia (Plurinational State of), Brazil, Costa Rica, Egypt, Germany, Ireland, Liechtenstein, Luxembourg, Mongolia, Montenegro, San Marino, Serbia, the United Republic of Tanzania and Tunisia had joined the sponsors. The large number of sponsors was indicative of an international consensus on the need for a comprehensive approach and innovative strategies to combat the world drug problem. He made a correction to the sixth preambular paragraph: the reference to "resolution 53/9," should be deleted and replaced with the words "the resolution".

31. **Mr. Gustafik** (Secretary of the Committee) announced that Antigua and Barbuda, Austria, Bahamas, Bangladesh, Barbados, Bosnia and Herzegovina, Botswana, Burkina Faso, Cape Verde, Congo, Croatia, Denmark, Greece, Grenada, Ghana, Guyana, Guinea-Bissau, Haiti, Indonesia, Jamaica, Kenya, Lao People's Democratic Republic, Lithuania, Malawi, Mauritania, Nigeria, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Suriname, Swaziland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine and Zambia had joined the sponsors.

32. **Ms. Sapag** (Chile) said that during negotiations on the draft resolution, her delegation had made efforts to include specific references to the work of the United Nations Office on Drugs and Crime (UNODC) to mitigate stigma and discrimination against drug users and people living with HIV, including through its collaboration with Governments and the media to support effective drug treatment methods with a human rights perspective. In that regard, she was grateful for the leading role the Mexican delegation had taken to include such language. While her delegation welcomed the inclusion of a reference to resolution 53/9 of the Commission on Narcotic Drugs, it hoped that future resolutions on the issue would include an explicit reference on the importance of addressing discrimination against drug users as part of a holistic approach to treatment and rehabilitation. For its part, the Chilean Government planned to launch a new national strategy on drugs that would include a special emphasis on the social integration of people dependent on drugs.

33. **Mr. Monterrey Suay** (El Salvador) said that the world drug problem had turned Central American countries into places of transit. In response, countries in the region, including Mexico, had adopted regional conventions to combat organized crime, drug trafficking and related problems, which had been based on international instruments, including the United Nations Convention on Transnational Organized Crime. Drug use had far-reaching consequences, ranging from violent crime and human trafficking to detrimental effects on public health and social development. In El Salvador, gangs had become an extension of organized crime networks that engaged in drug trafficking and extortion, and threatened public safety. The Government had been addressing the drug problem through the development of comprehensive drug treatment policy that covered prevention, rehabilitation and social reintegration. The draft resolution recognized the importance of international cooperation to addressing the urgent problems generated by illicit drugs, as they were indisputably transnational in nature.

34. **Ms. Méndez Romero** (Bolivarian Republic of Venezuela), speaking in explanation of position, said that the world drug problem endangered the health and well-being of citizens and threatened the political stability of States. Current international efforts to reduce the availability of drugs of natural origin were far from the goals established in international conventions on the issue, including the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. Her Government was concerned at the dramatic rise in the cultivation of illicit drugs, which was increasingly affecting the Bolivarian Republic of Venezuela and other transit countries. It therefore welcomed

paragraph 13 of the draft resolution, which urged Member States to cooperate with transit States affected by illicit drug trafficking. New strategies and policies were urgently required from the Commission on Narcotic Drugs in order to address the increased cultivation of illicit drugs. Her delegation had reservations about paragraph 14, as the Venezuelan Government did not recognize a systematic link between drug trafficking and other forms of transnational organized crime. Assuming such a connection denied the basic right to due process and the right to be presumed innocent. Any link between an act of terrorism and international crime should not be automatically or permanently assumed. Instead, any such connection must be dealt with on a case-by-case basis. Finally, the Commission on Narcotic Drugs should work to develop criteria and analyse information sources in order to make the statistics provided in its annual *World Drug Report* more reliable and transparent.

35. *Draft resolution I/16/Rev.1 was adopted, as orally revised.*

36. **Mr. Burniat** (Belgium), speaking in explanation of position on behalf of the European Union; the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania, Bosnia and Herzegovina, and Montenegro; and, in addition, the Republic of Moldova and Ukraine, said that the European Union regretted that progress had not been made in including human rights issues in the draft resolution, including with regard to providing support for drug users. However, the European Union would continue to be engaged in international cooperation to address the world drug problem.

37. **Ms. Boissiere** (Trinidad and Tobago), speaking in explanation of position on behalf of the Caribbean Community (CARICOM), said that the members of CARICOM were satisfied that some of their concerns had been reflected in the draft resolution, in particular the impact of the illicit use, production and trafficking of narcotic drugs on children and youth; the importance of cross-border cooperation to assist transit States in addressing drug problems; and the fundamental role of UNODC in assisting States to combat the world drug problem. However, the financial situation of UNODC was of great concern. The region continued to suffer the consequences of budget constraints within the agency, including the closing of its Caribbean office. She urged Member States to ensure that UNODC, which was an essential source of technical assistance to all countries, was provided with the appropriate resources to fulfil its responsibilities.

Agenda item 105: Crime prevention and criminal justice (*continued*)

Draft resolution A/C.3/65/L.15/Rev.1: Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

38. **Mr. Mogini** (Italy) said that Australia, Azerbaijan, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cameroon, China, Ecuador, Egypt, Indonesia, Jordan, Kyrgyzstan, Mali, Micronesia (Federated States of), Mongolia, Morocco, Namibia, Netherlands, Nicaragua, Niger, Panama, the Republic of Korea, the Republic of Moldova, Russian Federation, Serbia, Sierra Leone, the Sudan, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, the United Republic of Tanzania and the United States of America had joined the sponsors. The Convention against Transnational Organized Crime and its Protocols were unprecedented instruments to respond to the threats to public safety, economic growth and social development posed by transnational organized crime. The draft resolution urged implementation of the Convention and sought to grant greater visibility to the fight against organized crime within the framework of United Nations activities. It also confirmed the support of Member States for UNODC technical assistance activities in the field. The text had been updated to address cases of connections between transnational organized crime and terrorism; recognize achievements of the sixty-fourth session of the General Assembly on crime issues; stress implementation of the new Global Plan of Action to Combat Trafficking in Persons; and acknowledge for the first time the issues of trafficking in cultural property and youth crime. The draft resolution also contained references to the financial needs of UNODC.

39. **Mr. Gustafik** (Secretary of the Committee) announced that Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Cape Verde, Comoros, Congo, Cuba, Gambia, Ghana, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kenya, Lebanon, Lesotho, Liberia, Malawi, Malaysia, Mozambique, Nauru, Nigeria, Papua New Guinea, Paraguay, Philippines, Rwanda, Saint Kitts and Nevis, Saint

Lucia, Saint Vincent and the Grenadines, Sierra Leone, South Africa, Suriname, Swaziland, Trinidad and Tobago, Uganda, Zambia and Zimbabwe had joined as sponsors.

40. **Mr. Şen** (Turkey) said that his delegation was concerned about the errors contained in the report of the UNODC entitled *The Globalization of Crime — A Transnational Organized Crime Threat Assessment* and therefore disassociated itself from the eleventh preambular paragraph of the draft resolution. Those concerns had also been communicated to UNODC.

41. **Mr. Monterrey Suay** (El Salvador) said that his Government viewed transnational organized crime as a shared problem that must be confronted through a comprehensive approach which respected the principles of national sovereignty, territorial integrity and non-interference in the internal affairs of States. The development of effective justice systems, which should include mutual assistance among States, was a decisive component in the fight against drug trafficking. Like other Central American countries, El Salvador suffered the consequences of drug trafficking, including violence and transnational organized crime, and had borne enormous economic and social costs to combat that scourge. His country had played a leading role in strengthening the regional legal framework and had signed 12 bilateral agreements with Latin American countries to reduce the demand for and sale of drugs. The Government would continue to work on a bilateral and multilateral basis to exchange information and provide mutual assistance on legal issues. His delegation fully supported the draft resolution and urged the United Nations system to continue strengthening its crime prevention and criminal justice programmes and support UNODC.

42. *Draft resolution A/C.3/65/L.15/Rev.1 was adopted.*

43. **Ms. Méndez Romero** (Bolivarian Republic of Venezuela), speaking in explanation of position, said that her delegation had joined the consensus on the draft resolution, as it believed that the fight against transnational organized crime should be based on the principles of international cooperation and respect for State sovereignty. However, her delegation had reservations on several preambular paragraphs of the draft resolution, which made imprecise assertions without any sort of basis in international law. While her Government recognized the detrimental impact transnational organized crime could have on human rights and the stability and development of States, it refuted the claims made in the twelfth preambular paragraph that such crimes had an effect on international peace and security. Those assertions contradicted the resolutions adopted by the Commission on Crime Prevention and Criminal Justice, which was the specialized organ of the United Nations on such issues.

44. The fourteenth preambular paragraph established a direct link between illicit trafficking in firearms, transnational organized crime and terrorism. The Bolivarian Republic of Venezuela did not recognize systematic links between types of crimes. Such assumptions ignored the universally recognized right to due process and right to be presumed innocent. Any link between an act of terrorism and international crime should not be automatically or permanently assumed. Instead, any such connection must be dealt with on a case-by-case basis.

45. Similarly, the seventeenth preambular paragraph of the draft resolution claimed that States' actions against transnational organized crime and terrorism were a shared responsibility. No such responsibility was to be found in any of the 16 international instruments regarding the fight against terrorism, nor in any such regional instrument. Indeed, without an internationally agreed definition of the terms "terrorism" and "State terrorism", it was impossible to speak of a shared responsibility against it. Her Government was committed to fulfilling the obligations it had assumed to combat terrorism, including by providing mutual legal assistance and extraditing any person involved in terrorist acts. However, the paragraph in question irresponsibly distorted the language of the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, which did not establish shared obligations, but rather affirmed Member States' readiness to improve international cooperation in the fight against terrorism "in a spirit of common and shared responsibility". Furthermore, the number of references to terrorism in the draft resolution went beyond its alleged scope, as the issue of terrorism was more appropriate to the work of the Sixth Committee. She recalled that the mandate of UNODC on terrorism-related issues was limited to providing assistance to States on implementing international instruments on the issue.

46. The Commission on Crime Prevention and Criminal Justice must, as a matter of priority, develop

objective criteria on the collection, use and dissemination of the information it supplied in order to improve the transparency and reliability of the data and information published by UNODC in its reports. In that regard, her delegation rejected the contents of the eleventh preambular paragraph, which took note of a recent UNODC report.

47. **Ms. Boissiere** (Trinidad and Tobago), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM Member States appreciated the inclusion of concerns of great importance to the region, including references to prevention of youth crime, measures to address illicit trafficking in small arms and light weapons and the significant role of UNODC in the fight against transnational organized crime and drug trafficking. In light of the increasing demand for the services of the United Nations Crime Prevention and Criminal Justice Programme and the acute needs for provision of assistance to developing countries, she reiterated strong concern about the financial situation of UNODC. CARICOM had hoped for a stronger demonstration of support by Member States for the request to the Secretary-General to submit proposals to ensure sufficient resources for UNODC in the budget for 2012-2013. While CARICOM States had undertaken initiatives at the national level, combating organized crime required concerted action at the international level. She therefore welcomed the large number of sponsors of the draft resolution.

48. **The Chair** proposed that the Committee should take note of the reports of the Secretary-General entitled: "Assistance in implementing the international conventions and protocols related to terrorism" (A/65/91); "Improving the coordination of efforts against trafficking in persons" (A/65/113); and "Twelfth United Nations Congress on Crime Prevention and Criminal Justice" (A/65/92).

49. *It was so decided.*

Agenda item 27: Social development (*continued*)

50. **The Chair** suggested that the Committee should take note of the report of the Secretary-General entitled "Comprehensive study on the impact of the converging world crises on social development" (A/65/174).

51. *It was so decided.*

The meeting rose at 12.20 p.m.